

Assembly Bill No. 2937

Passed the Assembly August 28, 2006

Chief Clerk of the Assembly

Passed the Senate August 23, 2006

Secretary of the Senate

This bill was received by the Governor this _____ day
of _____, 2006, at _____ o'clock ____M.

Private Secretary of the Governor

CHAPTER _____

An act to amend Section 60851 of the Education Code, relating to pupils.

LEGISLATIVE COUNSEL'S DIGEST

AB 2937, Pavley. Pupils: high school exit examination.

Existing law requires the Superintendent of Public Instruction, with the approval of the State Board of Education, to develop a high school exit examination in English language arts and mathematics in accordance with state academic content standards. Existing law requires, commencing with the 2003–04 school year, each pupil completing grade 12 to successfully pass the high school exit examination as a condition of receiving a diploma of graduation or a condition of graduation from high school.

This bill would require the State Department of Education to conduct a study to determine which of the California Standards Tests, or combination of those tests, is equivalent to the English language arts portion or the mathematics portion of the high school exit examination, and the performance level on the test or tests that is equivalent to a passing score on the pertinent portion of the high school exit examination, and to report its findings to the Legislature. The bill would require the department to recommend in that report whether or not specified proposals should be considered by the Legislature, including whether a pupil who takes a California Standards Test, or combination of those tests, determined by the department to be equivalent to the English language arts portion of the high school exit examination, and scores at a performance level determined by the department to be equivalent to a passing score on that portion of the high school exit examination, should be deemed to have passed that portion of the high school exit examination and whether a pupil who takes a California Standards Test, or combination of those tests, determined by the department to be equivalent to the mathematics portion of the high school exit examination, and scores at a performance level determined by the department to be equivalent to a passing score on that portion of

the high school exit examination, should be deemed to have passed that portion of the high school exit examination.

The people of the State of California do enact as follows:

SECTION 1. Section 60851 of the Education Code is amended to read:

60851. (a) Each pupil completing grade 12 shall successfully pass the high school exit examination as a condition of receiving a diploma of graduation or a condition of graduation from high school. Funding for the administration of the high school exit examination shall be provided for in the annual Budget Act. The Superintendent shall apportion funds appropriated for this purpose to enable school districts to meet the requirements of this subdivision and subdivisions (b), (c), and (d). The state board shall establish the amount of funding to be apportioned per test administered, based on a review of the cost per test.

(b) Each pupil shall take the high school exit examination in grade 10 and may take the examination during each subsequent administration, until each section of the examination has been passed.

(c) (1) Upon the request of the parent or guardian of the pupil, a school principal shall submit a request for a waiver of the requirement to successfully pass the high school exit examination to the governing board of the school district for a pupil with a disability who has taken the high school exit examination with modifications that alter what the test measures and has received the equivalent of a passing score on one or both subject matter parts of the high school exit examination. A governing board of a school district may waive the requirement to successfully pass one or both subject matter parts of the high school exit examination for a pupil with a disability if the principal certifies to the governing board of the school district that the pupil has all of the following:

(A) An individualized education program adopted pursuant to the federal Individuals with Disabilities Education Act (20 U.S.C. Sec. 1400 et seq.) or a plan adopted pursuant to Section 504 of the federal Rehabilitation Act of 1973 (29 U.S.C. Sec. 794 (a)) in place that requires the accommodations or modifications

to be provided to the pupil when taking the high school exit examination.

(B) Sufficient high school level coursework either satisfactorily completed or in progress in a high school level curriculum sufficient to have attained the skills and knowledge otherwise needed to pass the high school exit examination.

(C) An individual score report for the pupil showing that the pupil has received the equivalent of a passing score on the high school exit examination while using a modification that fundamentally alters what the high school exit examination measures as determined by the state board.

(2) A school district shall report to the state board, in a manner and by a date determined by the Superintendent, the number and characteristics of waivers reviewed, granted, and denied under this subdivision and any additional information determined to be in furtherance of this subdivision.

(d) The high school exit examination shall be offered in each public school and state special school that provides instruction in grade 10, 11, or 12, on the dates designated by the Superintendent. An exit examination may not be administered on any date other than those designated by the Superintendent as examination days or makeup days.

(e) The results of the high school exit examination shall be provided to each pupil taking the examination within eight weeks of the examination administration and in time for the pupil to take any section of the examination not passed at the next administration. A pupil shall take again only those parts of the examination he or she has not previously passed and may not retake any portion of the exit examination that he or she has previously passed.

(f) Supplemental instruction shall be provided to any pupil who does not demonstrate sufficient progress toward passing the high school exit examination. To the extent that school districts have aligned their curriculum with the state academic content standards adopted by the state board, the curriculum for supplemental instruction shall reflect those standards and shall be designed to assist the pupils to succeed on the high school exit examination. This chapter does not require the provision of supplemental services using resources that are not regularly available to a school or school district, including summer school

instruction provided pursuant to Section 37252. In no event shall any action taken as a result of this subdivision cause or require reimbursement by the Commission on State Mandates. Sufficient progress shall be determined on the basis of either of the following:

(1) The results of the assessments administered pursuant to Article 4 (commencing with Section 60640) of Chapter 5 and the minimum levels of proficiency recommended by the state board pursuant to Section 60648.

(2) The grades of the pupil and other indicators of academic achievement designated by the school district.

(g) The department shall conduct a study to determine which of the California Standards Tests developed pursuant to Section 60642.5, or which combination of those tests, is equivalent to the English language arts portion or the mathematics portion of the high school exit examination, and the performance level on the test or tests that is equivalent to a passing score on the pertinent portion of the high school exit examination, and shall report its findings to the Legislature. The department shall recommend in that report whether or not the following proposals should be considered by the Legislature:

(1) Whether a pupil who takes a California Standards Test, or combination of those tests, determined by the department pursuant to this subdivision to be equivalent to the English language arts portion of the high school exit examination, and scores at a performance level determined by the department to be equivalent to a passing score on that portion of the high school exit examination, should be deemed to have passed that portion of the high school exit examination.

(2) Whether a pupil who takes a California Standards Test, or combination of those tests, determined by the department pursuant to this subdivision to be equivalent to the mathematics portion of the high school exit examination, and scores at a performance level determined by the department to be equivalent to a passing score on that portion of the high school exit examination, should be deemed to have passed that portion of the high school exit examination.

Approved _____, 2006

Governor